PTO-1390 (Rev. 10-2004)
Approved for use through 03/31/2007 OMB 0651-0021
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### TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

ATTORNEY'S DOCKET NUMBER HO-P03101US0

U.S. APPLICATION NO. (If known see 37 CFR 1.5)

CO	INCERNING A SUBMIS	SSION UNDER 35 U.S.C. 37	1   10/51/268			
INTERN	NATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED			
TITLE (	PCT/GB03/02469	6 June 2003	6 June 2002			
IIILE	OF INVENTION MAMMALI	IAN ANIMAL COMPOSITION				
APPLIC	CANT(S) FOR DO/EO/US	Marie-Louise Baillon et al.				
Applica	nt herewith submits to the United	d States Designated/Elected Office (DO	/EO/US) the following items and other information:			
1. x	This is a <b>FIRST</b> submission	of items concerning a submission un	der 35 U.S.C. 371.			
2.	This is a <b>SECOND</b> or <b>SUBS</b>	SEQUENT submission of items conce	rning a submission under 35 U.S.C. 371.			
3.	This is an express request t include items (5), (6), (9) an		ures (35 U.S.C. 371 (f)). The submission must			
4.	The US has been elected (A	Article 31).				
5. x	A copy of the International A	Application as filed (35 U.S.C. 371 (c)	(2))			
a	x is attached hereto (requi	ired only if not communicated by the	International Bureau).			
b	. has been communicated	d by the International Bureau.				
C.	. is not required, as the ap	pplication was filed in the United State	es Receiving Office (RO/US).			
6.	An English language transla	ation of the International Application a	s filed (35 U.S.C. 371 (c)(2)).			
а	is attached hereto.	•				
, • b	has been previously sub	omitted under 35 U.S.C. 154(d)(4).				
7.	Amendments to the claims	of the International Application under	PCT Article 19 (35 U.S.C. 371 (c)(3))			
а	are attached hereto (req	are attached hereto (required only if not communicated by the International Bureau).				
b	have been communicated by the International Bureau.					
C	. have not been made; ho	owever, the time limit for making such	amendments has NOT expired.			
d	. have not been made and	d will not be made.				
8.	An English language translat	An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).				
9.	An oath or declaration of the	An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).				
10.	An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).					
Items	11 to 20 below concern do	cument(s) or information include	d:			
11. <u>x</u>	An Information Disclosure S	Statement under 37 CFR 1.97 and 1.9	98.			
12.	An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.					
13. x	A preliminary amendment.					
14. x	An Application Data Sheet under 37 CFR 1.76.					
15. x	A substitute specification.					
16.	A power of attorney and/or change of address letter.					
17.	A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.					
18.	A second copy of the published International Application under 35 U.S.C. 154(d)(4).					
19.	A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).					
20. x	Other items or information:		Combined Search & Examination Report;; Deposit under Accession # NC1 MB41117; Postcard			

## DT09 Rec'd PCT/PTO 0 6 DEC 2004.

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U.S. APPLICATION NO. (if known see 7 CP 2 68				ATTORNEY'S DOCKET NUM	NUMBER	
		PCT/GB03/02469		HO-P03101US0		
21. x The following fees are submitted:				CALCULATIONS	PTO USE ONLY	
BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) – (5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO						
International preliminary examir USPTO but International Searc	nation fee (37 CFR 1 482) no					
Intemational preliminary examir but intemational search fee (37						
International preliminary examii but all daims did not satisfy pro	visions of PCT Article 33(1)-					
International preliminary exar and all claims satisfied provis		050.00				
		SIC FEE AMOUNT =		\$ 950.00	-	
Surcharge of \$130.00 for from the earliest daimed p	furnishing the oath or on nority date (37 CFR 1.49	feclaration later than 30 (e)).	months	\$		
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE			
Total claims	18-20 =		x	\$ 0.00		
Independent claims	3-3 =		x	\$ 0.00		
MULTIPLE DEPENDE	NT CLAIM(s) (if appl	icable)	+	\$		
		OTAL OF ABOVE CAL		\$ 950.00		
	nall entity status. See 3	37 CFR 1.27. The fees i	ndicated above	\$		
are reduced by ½.			SUBTOTAL =	\$ 950.00		
Processing fee of \$130.0 from the earliest claimed	00 for furnishing the Eng	glish translation later tha	n 30 months	\$		
	<u> </u>		TIONAL FEE =	\$ 950.00		
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +						
50 doc-1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1	\$ 950.00					
				Amount to be refunded:	\$	
				Amount to be charged:	\$	
a. X A check in the	e amount of \$	950.00 to c	over the above fee	s is enclosed.		
b. Please charg	e my Deposit Account I	No.	in the amoun	t of \$		
		copy of this sheet is en				
c. X The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-2375 . A duplicate copy of this sheet is enclosed.						
d Fees are to b	e charged to a credit ca	ard. WARNING: Inform	ation on this form	may become public. Cr	edit card	
				nation and authorization	On P10-2036.	
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.						
SEND ALL CORRESPONDENCE TO:						
SIGNATURE: Melissa W. Acosta						
			NAME			
CUSTOMER NUME		45,872 REGISTRATION NUMBER				

# BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

Mars Incorporated 6885 Elm Street Virginia 22101 USA

#### INTERNATIONAL FORM

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT issued pursuant to Rule 7.1 by the INTERNATIONAL DEPOSITARY AUTHORITY identified at the bottom of this page

#### NAME AND ADDRESS OF DEPOSITOR

OF DEPOSITOR	
I. IDENTIFICATION OF THE MICROORGANISM	
Identification reference given by the	
DEPOSITOR:	Accession number given by the
DE OSHOR.	INTERNATIONAL DEPOSITARY AUTHORITY:
Lactobacillus acidophilus WAL ML1	NCIMB 41117
	NCIMID 41117
	·
II. SCIENTIFIC DESCRIPTION AND/OR PROPOSED TO	
II. SCIENTIFIC DESCRIPTION AND/OR PROPOSED T	AXONOMIC DESIGNATION
The misses are in the second se	
The microorganism identified under I above was accompanied b	py:
a scientific description	
x a proposed taxonomic designation	
Mark with a cross where applicable)	
where applicable)	
II. RECEIPT AND ACCEPTANCE	
This International Depositary Authority accepts the microorganis  10 October 2001 (date of the original deposit)	sm identified under I above, which was received by it on
V. RECEIPT OF REQUEST FOR CONVERSION	
	<u> </u>
he micrograpism identified under Let	
he microorganism identified under I above was received by this date of the original deposit) and a request to convert the	International Depositary Authority on
n (date of receipt of request for convers	denosit to a denosit under the D. A
	ion)
. INTERNATIONAL DEPOSITARY AUTHORITY	
ame: NCIMB Ltd	
and total bu.,	Signature(s) of person(s) having the power to represent the
	International Depositary Authority or of authorised
	official(s):
ddress:23 St Machar Drive,	Toence Dardo 2
A bondon	<del></del>
AB24 3RY,	Date: 13 November 2001
Scotland.	
Where Rule 6/4(d) applies such data in the	

Where Rule 6/4(d) applies, such date is the date on which the status of International Depositary Authority was acquired.

Form BP/4 (sole page)

Application No. (if known): Not Yet Assigned

Attorney Docket No.: HO-P03101US0

#### Certificate of Express Mailing Under 37 CFR 1.10

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on _	December 6, 2004	
	Date	

Staci V. Harri	I			
Signature				
Staci Harris				
Typed or printed name of person signing Certificate				
	(713) 651-5273			
Registration Number, if applicable	Telephone Number			

Note

Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Application Data Sheet (2 pages)

Search Report; Examination Report under Section 18(3); Combined

Search & Examination Report; Return Receipt Postcard

Copy of the International application Information Disclosure Statement

Preliminary Amendment Substitute specification

Transmittal Letter to the United States Designated-Elected Office

Check in the amount of \$950.00

10/517268

Application No. (if known): Not Yet Assigned

Attorney Docket No.: HO-P03101US0

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Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

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Date

Staci Harris

Typed or printed name of person signing Certificate

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each submitted paper.

IDS (Citation) by Applicant